

10/578252

LAWRENCEVILLE 04 MAY 2006

Customer No. 22,852  
Attorney Docket No. 05788.0398

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Daniele Franco Angelo FACCIO et al. )  
Application No.: Not Yet Assigned ) Group Art Unit: Not Yet Assigned  
Filed: May 4, 2006 ) Examiner: Not Yet Assigned  
National Stage of International Application No. )  
PCT/EP2003/012328 under 35 U.S.C. 371 )  
For: TUNEABLE GRATING ASSISTED )  
DIRECTIONAL OPTICAL COUPLER )

**MAIL STOP PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§1.56 and 1.97(b), applicants bring to the Examiner's attention the documents listed on attached Form PTO/SB/08 and cited in the international search report. With the exception of the U.S. patents, a copy of each listed document is attached. Applicants respectfully request that the Examiner consider the documents listed on attached Form PTO/SB/08 and indicate that they were considered by making an appropriate notation on this form.

This Information Disclosure Statement is being filed with the above-referenced application.

The following is listed on the accompanying PTO/SB/08 and is in a non-English language:

1. Japanese Patent Application No. 63-174002.

In lieu of a statement of relevance or translation of the non-English document listed above, enclosed is an English-language international search report from the European Patent Office from which this national phase U.S. application is derived citing this reference and setting forth the relevance thereof.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

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Customer No. 22,852

Attorney Docket No. 05788.0398

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If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: May 4, 2006

By:

  
Ernest F. Chapman  
Reg. No. 25,961

Enclosures  
EFC/FPD/blc

RECEIVED - 05 MAY 2006

IDS Form PTO/SB/08: Substitute for form 1449A/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				Application Number	Not Yet Available
Sheet	1	of	1	Filing Date	May 4, 2006
				First Named Inventor	Daniele Franco Angelo FACCIO
				Art Unit	Not Yet Available
				Examiner Name	Not Yet Available
				Attorney Docket Number	05788.0398

<b>U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS</b>					
Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-2003/0133490	07-17-2003	Grote et al.	
		US-6,097,865	08-01-2000	Alferness et al.	
		US-4,737,007	04-12-1988	Alferness et al.	

Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004

<b>FOREIGN PATENT DOCUMENTS</b>					
Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)			
		EP 0 778 479	06-11-1997	Horita et al.	
		EP 1 018 665	07-12-2000	Moroni et al.	
		JP 63-174002	07-18-1988		No

<b>NON PATENT LITERATURE DOCUMENTS</b>					
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			Translation <sup>6</sup>
		BJORKLUND et al., "PROSPECTS FOR ELECTRO-OPTIC POLYMER DEVICES", Lasers and Electro-Optics Society Annual Meeting, IEEE, pages 466-467, (1993).			
		ELDADA et al., "THERMOOPTIC PLANAR POLYMER BRAGG GRATING OADM'S WITH BROAD TUNING RANGE", IEEE Photonics Technology Letters, Vol. 11, No. 4, p. 448-450, (1999).			
		HORITA et al., "POLARISATION INSENSITIVE AND TUNEABLE OPTICAL ADD AND DROP MULTIPLEXER UTISING VERTICALLY STACKED BURIED SEMICONDUCTOR WAVEGUIDES", Electronics Letters, Vol. 35, No. 20, pp. 1733-1734, (1999).			
		BOSC et al., "HYBRID SILICA-POLYMER STRUCTURE FOR INTEGRATED OPTICAL WAVEGUIDES WITH NEW POTENTIALITIES", Materials Science and Engineering, Vol. B57, pp. 155-160, (1999).			

Examiner Signature	Date Considered
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.